

BOONE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE JANUARY 3, 2023 MEETING

The Boone County Board of Commissioners met in regular session at 9:00 AM on Tuesday, January 3, 2023 in the Connie Lamar Meeting Room located on the main floor of the Boone County Annex Building at 116 W. Washington Street, Room 105, Lebanon, IN 46052 with the following personnel in attendance:

Donnie Lawson	Commissioner, President
Jeff Wolfe	Commissioner, Vice President
Tim Beyer	Commissioner
Audrea Racine	Interim County Attorney
Kaylee Jessie	Administrative Assistant

DETERMINATION OF QUORUM AND PLEDGE TO THE FLAG

Commissioner Lawson opened the meeting at 9:06 AM with a quorum of all three (3) Commissioners present and led the Pledge to the Flag in unison. Commissioner Lawson welcomed and introduced the newly elected officials in attendance at today's meeting – Commissioner Tim Beyer, Sheriff Tony Harris, Surveyor Carol Cunningham.

IN THE MATTER OF MINUTES

Commissioner Wolfe moved to approve the Minutes of December 19, 2022 Commissioners' Meeting as presented. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF LEGAL ISSUES

No legal issues for today's meeting.

IN THE MATTER OF RESOLUTION 2023-01 AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

Interim County Attorney Audrea Racine presented Resolution 2023-01 authorizing disposal of surplus property and read it aloud in pertinent parts pursuant to state law. The Commissioners have previously adopted Ordinance 98-24 (codified in the Boone County Code of Ordinances as Section 30.04) which permits an eligible merit officer to retain his standard issue service weapon upon retirement after at least twenty (20) years of service. Boone County Sheriff Michael T. Nielsen, whose term as County Sheriff ended on December 31, 2022, was issued a Colt Model 1911 service weapon with a serial number of CGP 0558 as required equipment pursuant to his duties as Sheriff. Sheriff Nielsen is retiring effective January 3, 2023 from his post as the Boone County Sheriff. The Boone County Commissioners desire to honor and recognize Sheriff Nielsen for his years of service to the Sheriff's Office and the citizens of Boone County by declaring the aforementioned service firearm surplus and transfer ownership to him. Sheriff Harris and Matron Brittany Hicks also presented Sheriff Nielsen with a wooden retirement box to hold his badge and other mementos of his career.

Commissioner Wolfe moved to approve Resolution 2023-01 authorizing disposal of surplus property. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF ORDINANCE 2023-01 ESTABLISHING A NON-REVERTING FUND FOR THE PROSECUTOR'S "CASE" TASK FORCE

County Prosecutor Kent Eastwood presented the request to establish a non-reverting fund for the Child Abuse and Sexual Exploitation ("CASE") Task Force. Interim County Attorney Audrea Racine presented Ordinance 2023-01 establishing a non-reverting fund designated as the CASE Task Force Fund and read it aloud in pertinent parts pursuant to state law. The Boone County Prosecutor's Office shall deposit in the Fund monies received and donations from participating municipalities, law enforcement agencies, and individuals related to the operation of the CASE Task Force and such funds shall not revert to the County general account but shall be held over from year to year.

Commissioner Wolfe moved to approve Ordinance 2023-01 establishing a non-reverting fund designated as the CASE Task Force Fund. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF ORDINANCE 2023-02 AMENDING THE STORMWATER MANAGEMENT ORDINANCE FOR BOONE COUNTY

County Surveyor Carol Cunningham previously presented the request to amend the stormwater management ordinance for Boone County at the last commissioners and drainage board meeting – both boards approved. Interim County Attorney Audrea Racine presented Ordinance 2023-02 amending the stormwater management ordinance for Boone County and read it aloud in pertinent parts pursuant to state law. Boone County desires to amend Boone County Code Chapter 153 to comply with federal and state laws, regulations and rules relating to stormwater and to incorporate new and more effective standards relating to stormwater run-off and detention to protect the health, safety and welfare of the citizens of the County.

Commissioner Wolfe moved to approve Ordinance 2023-02 amending the stormwater management ordinance for Boone County. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

**IN THE MATTER OF KENNETH HEDGE
INDEPENDENT CONTRACT AGREEMENT FOR SERVICES**

County Surveyor Carol Cunningham presented the Kenneth Hedge (dba KEH Consulting) independent contract agreement to continue his services for the Surveyor's Office as there continues to be large developments in Boone County. This is a budgeted item approved by the County Council for 2023.

Commissioner Beyer moved to approve the Kenneth Hedge independent contract agreement. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

IN THE MATTER OF TK ELEVATOR BLENDED COVERAGE AGREEMENT

Max Mendenhall, Director of Capital Investments, presented the TK Elevator blended coverage agreement.

Commissioner Wolfe moved to approve the TK Elevator blended coverage agreement. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF SKILLED SOLUTIONS LLC QUOTE

Max Mendenhall, Director of Capital Investments, presented the Skilled Solutions LLC quote for office space at the Boone County Highway Department. The quote is in the amount of \$19,855.00. Commissioner Wolfe previously approved/executed the quote.

Commissioner Wolfe moved to approve ratifying the Skilled Solutions LLC quote. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF RELOCATION STRATEGIES QUOTE

Max Mendenhall, Director of Capital Investments, presented the Relocation Strategies quote for the eight workstations at the Boone County Highway Department. The quote is in the amount of \$19,440.00. Commissioner Wolfe previously approved/executed the quote.

Commissioner Wolfe moved to approve ratifying the Relocation Strategies quote. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF OLD BUSINESS

There was none at this time.

IN THE MATTER OF STAFF REPORTS

- APC
- Capital Investments / Facilities – Max Mendenhall
- Health Department – Lisa Younts / Abby Messenger
- Highway Department – Nick Parr
- Human Resources – Megan Smith
- IT Support – GUTS
- Other Elected Officials

Nick Parr, Director of Highway Department presented the following items:

- 1) Construction in right-of-way (#202210076) for Charter Spectrum at 7480 E 550 S for the installation of underground utilities. The Boone County Highway Department recommends approval with a \$10,000 Bond.

Commissioner Beyer moved to approve the construction in right-of-way (#202210076) for Charter Spectrum. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 2) Construction in right-of-way (#202210077) for TDS Telecom at CR 100 N west of US 421 to provide telecom service to a new subdivision being constructed. The Boone County Highway Department recommends approval with a \$15,000 Bond.

Commissioner Beyer moved to approve the construction in right-of-way (#202210077) for TDS Telecom. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 3) The certificate of Local Government Use for the federal excise tax on tax free sales of gasoline. Commissioner Wolfe moved to approve the signature on the certificate of Local Government Use. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

4) Other Highway Department Updates:

- Bridge 180 – Construction is expected to begin in the next few weeks. This will require a full closure on CR 500 E South of CR 300 S.
- Grassy Branch Bridge Construction is expected to begin near the end of January. The first road to close will be CR 300 W south of CR 625 S. Once that road is open, CR 425 S will close South of 625 S.

Michael Nielsen, Sheriff / Project Manager presented the following items:

- 1) Thanked the commissioners for recognizing him, appreciates that. It has been an honor serving in law enforcement for Boone County. He will continue to serve as a reserve and is excited about that opportunity. Nielsen is also excited about serving as the Project Manager for the county.

IN THE MATTER OF DOCUMENT SIGNING

- 1) An affidavit for payment to GM Development LLC in the amount of \$1,084,398.69 for the construction of the Boone County Justice Center expansion previously signed by Commissioner Wolfe.

Commissioner Beyer moved to approve the affidavit for payment to GM Development LLC. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 2) Claims Dockets – regular, prepaids, payroll, and insurance.

Commissioner Wolfe moved to approve Budgetary Claims presented from the Auditor's Office. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF MAIL

See (**Appendix #3**) for a list of mail opened by the Commissioners on this date.

Commissioner Wolfe moved to accept/acknowledge Aspires' annual financial report for 2022. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

IN THE MATTER OF ADJOURNMENT

With no further business, Commissioner Wolfe moved to adjourn the Boone County Commissioners' Meeting at 9:34 AM on Tuesday, January 3, 2023. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.